



Legislation Details (With Text)

File #: 06243 **Version:** 2 **Name:** Dewey Annexation
Type: Ordinance **Status:** Passed
File created: 4/24/2007 **In control:** COMMON COUNCIL
On agenda: 5/15/2007 **Final action:** 6/5/2007
Enactment date: 6/26/2007 **Enactment #:** ORD-07-00068

Title: SUBSTITUTE - Creating Section 15.01(562) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 1st Aldermanic District the Dewey Annexation and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(142) of the Madison General Ordinances to assign the attached property to Ward 142, and amending Section 15.03(1) of the Madison General Ordinances to add Ward 142 to Aldermanic District 1.

Sponsors: David J. Cieslewicz

Indexes:

Code sections:

Attachments: 1. 04098deweymap.pdf, 2. Petition File 06244, 3. Maps & Comment.pdf, 4. 06243 WI DOA Ltr.pdf, 5. 06243 Register of Deeds recording.pdf, 6. 06243 Certified Mail Receipt.pdf

Date	Ver.	Action By	Action	Result
6/5/2007	2	COMMON COUNCIL	Adopt	Pass
5/31/2007	2	Attorney's Office/Approval Group	Approved As To Form	
5/31/2007	2	Attorney's Office	Fiscal Note Required / Approval	
5/31/2007	2	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office (SUBSTITUTES)	
5/31/2007	2	Clerk's Office	Reconsider	
5/15/2007	1	COMMON COUNCIL	Adopt	Pass
5/7/2007	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
5/1/2007	1	COMMON COUNCIL	Refer	
4/24/2007	1	Attorney's Office/Approval Group	Approved As To Form	
4/24/2007	1	Attorney's Office	Fiscal Note Required / Approval	
4/24/2007	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
4/24/2007	1	Attorney's Office	Referred for Introduction	

Fiscal Note

As per State Statutes, beginning in 2009 the City will make annual payments for five years of an estimated \$970 to the Town of Verona (an amount equal to the town levy on the territory for the year 2007). The payments will come from the General Fund Miscellaneous account and will be accommodated in future budgets.

Title

SUBSTITUTE - Creating Section 15.01(562) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 1st Aldermanic District the Dewey Annexation and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(142) of the Madison General Ordinances to assign the attached property to Ward 142, and amending Section 15.03(1) of the Madison General Ordinances to add Ward 142 to Aldermanic District 1.

Body

DRAFTER'S ANALYSIS: This ordinance annexes land in the Town of Verona.

An ordinance to create Subsection (562) of Section 15.01 of the General Ordinances of the City of Madison entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards".

WHEREAS, a petition with scale map attached was filed with the City Clerk of Madison on March 27, 2007, and mailed to the Clerk of the Town of Verona and the Municipal Boundary Review Section, Department of Commerce, State of Wisconsin, on March 26, 2007, and has been presented to the City Common Council requesting annexation of the below-described territory to the City of Madison from the Town of Verona; said petition having been signed by the owners of all the real property within the territory, and all of the electors residing within the territory, which has a population of five (5) and lies contiguous to the City of Madison; and

WHEREAS, the High Point-Raymond Road Neighborhood Plan recommends medium density residential uses for the surrounding area; and

WHEREAS, pursuant to Sec. 28.04(7), Madison General Ordinances, the annexed territory is declared to be in the A Agriculture District and the annexation and temporary zoning were considered by the Plan Commission at its meeting of May 7, 2007, and adoption of the said annexation and zoning were recommended; and

WHEREAS, pursuant to Wis. Stats. sec. 66.0217(14)(a)1., the City of Madison agrees to pay annually to the Town of Verona, for five (5) years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under Wis. Stats. sec. 70.65, in the year in which the annexation is final; and

WHEREAS, investigation by the City of Madison discloses that as of this date the above representations are true, and the determination of the Department of Commerce, Municipal Boundary Review Section, State of Wisconsin, that the below described annexation has been reviewed and found to be in the public interest, having been reviewed, the Common Council now accepts the petition as sufficient and determines that the said annexation proceeding meets the requirements of the Wisconsin Statutes;

NOW, THEREFORE, the Common Council of the City of Madison do ordain as follows:

1. Subsection (562) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(562) - There is hereby attached to the 1st Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

All of Lot 3 of Certified Survey Map Number 952, as recorded in Volume 4 of Certified Survey Maps on pages 199-200, as Document Number 1343095, Dane County Registry, being located in the Northwest Quarter of the Northeast Quarter, Section 3, Township 6 North, Range 8 East, Town of Verona, Dane County, Wisconsin. This parcel contains 37,478 square feet, or 0.86 acres, more or less."

2. Subsection (142) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(142) Ward 142.

All of Lot 3 of Certified Survey Map Number 952, as recorded in Volume 4 of Certified Survey Maps on pages 199-200, as Document Number 1343095, Dane County Registry, being located in the Northwest Quarter of the Northeast Quarter, Section 3, Township 6 North, Range 8 East, Town of Verona, Dane County, Wisconsin. Polling place at Elver Park New Shelter, 1250 McKenna Blvd."

3. Subsection (1) of Section 15.03 entitled "Aldermanic Districts" of the Madison General Ordinances is amended to read as follows:

"(1) First Aldermanic District. Wards 95, 96, 97, 98, 99, 107, 114, 121, 122, 123, 124, 125, 126, 128, 130, 134, and 137, and 142."

4. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person

or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

EDITOR'S NOTE: Pursuant to sec. 66.0217(8), Wis. Stats., this annexation ordinance must be enacted by a two-thirds vote of the elected members of the Common Council or at least 14 votes.

Adopted on roll call at a regular meeting of the Common Council of the City of Madison, Wisconsin, held on May 15, 2007.

Annexation vote:
Ayes: 19
Noes: 0
Excused: 1